REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-12, 14-29, and 31-40 are presently active in this case. The present Amendment amends Claims 1, 17, and 18; cancels Claims 13 and 30; and adds new Claims 35-40.

In the outstanding Office Action, the foreign priority document was noted as not received. Claims 1, 3, 5-8, 10-15, 18, 20-25, and 27-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Briffe et al. (U.S. Patent No. 6,112,141) in view of Snyder et al. (U.S. Patent No. 6,664,989). Claims 2 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Briffe et al. patent in view of the Snyder et al. patent, and further in view of Houlberg (U.S. Patent No. 6,172,747). Claim 4, 16, 17, 21, 33, and 34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Briffe et al. patent in view of the Snyder et al. patent, and further in view of Snyder (U.S. Patent No. 6,381,519). Claims 9 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Briffe et al. patent in view of the Snyder et al. patent, and further in view of Beeks et al. (U.S. Patent No. 6,104,969).

In response to the request for the foreign priority document, Applicant notes that a certified copy of the priority document should be in the parent application (S.N. 10/061,281, now U.S. Patent No. 6,668,215). Accordingly, another certified copy need not be re-submitted.[1]

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[1] See MPEP § 201.14(b), "[w]here the benefit of a foreign filing date based on a foreign application is claimed in a later filed application (i.e., continuation, continuation-in-part, division) or in a reissue application and a certified copy of the foreign application as filed has been filed in a parent or related application, it is not necessary to file an additional certified copy in the later application."

In response to the rejection of Claims 1, 3, 5-8, 10-15, 18, 20-25, and 27-32 under 35 U.S.C. § 103(a), Applicant respectfully requests reconsideration of the rejection and traverses the rejection as discussed next.

Briefly recapitulating, Applicant's invention, as recited in Claim 1, is directed to a dialog system for dialog between an operator of an aircraft and at least one system of the aircraft, including: a display configured to display at least one window including a plurality of responsive objects respectively associated with one of multiple functions of the at least one system of the aircraft; a first cursor control device including a continuous cursor moving mechanism configured to move a cursor in a continuous manner on the display so as to designate a responsive object; and a second cursor control device including a discrete cursor moving mechanism configured to move the cursor in a discrete and cyclical manner on the display, responsive object by responsive object, so as to designate a responsive object.

The Office Action asserts at page 2 that the Briffe et al. patent teaches all the features of Claims 1 and 18 except the continuous and discrete cursor moving mechanisms, and asserts that the Snyder et al. patent cures this deficiency of the Briffe et al. patent. Applicant respectfully disagrees.

Specifically, the Office Action asserts at page 3 that the Snyder et al. patent teaches "a discrete cursor moving mechanism configured to move a cursor in a discrete manner on the display, responsive object by responsive object, so as to designate a responsive object." The Office Action supports this assertion with a passage from the Snyder et al. patent.[2] However, Applicant respectfully submits that this passage discusses features associated with a user that "raises his or her finger and replaces the finger at another location on the touchpad," whereupon "the cursor will relocate to the screen position corresponding to the touchpad

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[2] Col. 6, line 53 to col. 7, line 35.

location currently in contact with the user's finger."[3] Applicant respectfully submits that these features do not teach or suggest moving the cursor in a discrete manner on the display, responsive object by responsive object, so as to designate a responsive object, as recited in Claims 1 and 18, since being specified with a finger on a touch pad, the resulting position in the Snyder et al. patent is not at a responsive object, but rather at "the screen position corresponding to the touchpad location currently in contact with the user's finger," which is not necessarily at a location corresponding to a responsive object. In particular, nothing in the cited passage teaches or suggests the "responsive object by responsive object" feature.

The Office Action also asserts at page 5 that the Snyder et al. patent teaches the "responsive object by responsive object, in a cyclical manner" feature and supports this assertion with the same passage from the Snyder et al. patent. Applicant respectfully disagrees. As discussed above, this passage of the Snyder et al. patent does not pertain to discrete movements of the cursor and a "responsive object by responsive object" selection. Accordingly, "in a cyclical manner" is not met by this passage. Therefore, "responsive object by responsive object, in a cyclical manner" is neither taught nor suggested by the Snyder et al. patent.

However, whereas the passage cited in the Office Action does not pertain in any way to the claimed discrete moving mechanism, Applicant notes that the Snyder et al. patent does teach movements triggered by button controls for application of discrete events at Col. 7, lines 63-65. Still, the Snyder et al. patent does not teach or suggest a second cursor control device including a discrete cursor moving mechanism configured to move the cursor in a discrete manner on the display, responsive object by responsive object, so as to designate a responsive object. Furthermore, in the spirit of moving prosecution forward for the present application, and in order to establish even more clearly the distinction between the claimed

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[3] See the Snyder et al. patent at col. 6, lines 56-60.

invention and what is taught by the prior art, Claims 1 and 18 are amended to recite the "cyclical manner" feature of Claims 13 and 30.

Accordingly, the Snyder et al. patent does not teach a second cursor control device including a discrete cursor moving mechanism configured to move the cursor in a discrete and cyclical manner on the display, responsive object by responsive object, so as to designate a responsive object. Moreover, as stated at page 5 of the Office Action, neither does the Briffe et al. patent. Therefore, the Briffe et al. and Snyder et al. patents, whether taken alone or in combination, do not teach this feature of amended independent Claims 1 and 18. Independent Claims 1 and 18 and dependent Claims 1-12, 14-17, 19-29, and 31-36 are thus patentable over the Briffe et al. and Snyder et al. patents.

In response to the rejection of Claims 2 and 9 under 35 U.S.C. § 103(a), Applicant respectfully requests reconsideration of the rejection and traverses the rejection as discussed next.

The Houlberg patent, directed to a tracking system with an acquisition sight for use by a pilot to acquire a target, is asserted at page 6 of the Office Action to teach a discrete cursor moving mechanism based on keyboard keys. Applicant respectfully disagrees. The Houlberg patent states that "[t]he Azimuth scale factor, Azimuth offset (volts), Elevation scale factor and Elevation offset (volts) for the gimbal input calibration are edited and then accepted using the Tab or Up arrow or Down arrow keys on keyboard 41."[4] Therefore, the use of the keys does not pertain to a cursor nor to any "responsive objects," but rather to a mere entry of data. Moreover, the "responsive object by responsive object" and "cyclical" features of Claim 1 and 18 are not met by the keyboard based entry of data taught by the Houlberg patent. Further, in the Houlberg patent, there are several cursors, such as 95, 96, 97, and 98, but no responsive object selected by a cursor. Therefore, moving the cursor in a

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[4] See the Houlberg patent at col. 11, lines 12-15.

discrete manner on the display "responsive object by responsive object, so as to designate a responsive object" does not fit in the context of the Houlberg patent.

Therefore, the Houlberg patent does not teach a second cursor control device including a discrete cursor moving mechanism configured to move the cursor in a discrete and cyclical manner on the display, responsive object by responsive object, so as to designate a responsive object. Therefore, since the Briffe et al. and Snyder et al. patents do not teach this either, as explained above, the Briffe et al., Snyder et al., and Houlberg patents, whether taken alone or in combination, do not teach this feature of amended independent Claim 1. Dependent Claims 2 and 9 are thus patentable over the Briffe et al., Snyder et al., and Houlberg patents.

In response to the rejection of Claims 4, 16, 17, 21, 33, and 34 under 35 U.S.C. § 103(a), Applicant respectfully requests reconsideration of the rejection and traverses the rejection as discussed next.

The Office Action states at page 7 that the Snyder patent, directed to an aircraft display and control system including a cursor control and selection device, teaches a key on a mouse. However, this does not teach a second cursor control device including a discrete cursor moving mechanism configured to move the cursor in a discrete and cyclical manner on the display, responsive object by responsive object, so as to designate a responsive object. Therefore, since the Briffe et al. and Snyder et al. patents do not teach this either, as explained above, the Briffe et al., Snyder et al., and Snyder patents, whether taken alone or in combination, do not teach this feature of amended independent Claims 1 and 18. Dependent Claims 4, 16, 17, 21, 33, and 34 are thus patentable over the Briffe et al., Snyder et al., and Snyder patents.

In response to the rejection of Claims 9 and 26 under 35 U.S.C. § 103(a), Applicant respectfully requests reconsideration of the rejection and traverses the rejection as discussed next.

The Office Action states at page 7 that the Beeks patent, directed to an apparatus and method for processing a user input to drive cursor movement on a display in a vehicle operating in a turbulent environment, teaches a cursor device activated during an emergency mode of the aircraft. However, Applicant respectfully submits that the Beeks patent does not teach moving the cursor in a discrete manner on the display, responsive object by responsive object, so as to designate a responsive object, as recited in independent Claims 1 and 18.

In the Beeks patent, there is "an input device 24 configured to receive an input 28 from a user 32 and generate an input device signal 36 that represents the user's selected movement of a cursor 40 on a display 44."[5] Moreover, the Beeks patent states that "the input device 24 may be any appropriate input system, such as a mouse, light pen, joystick, touch pad, or the like."[6] These devices, as disclosed in the Beeks patent, are all continuous, not discrete. This is further supported by the fact that "the motion sensing device 56 senses movement associated with the input device 24"[7] and "[t]he turbulence controller 48 generates a compensated output signal 60 based on the input device signal 36 and the combined motion signal 52."[8] There is always movement at the input device in the Beeks patent since structures are disclosed that seek to extract the intended movement from unwanted movement resulting from turbulence, for example. Therefore, the input device, which controls the cursor, does not work in a discrete manner. Furthermore, the Beeks patent does not disclose the claimed "responsive object by responsive object, so as to designate a responsive object"

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[5] See Beeks, col. 2, lines 46-49.
[6] See Beeks, col. 3, lines 6-8.
[7] See Beeks, col. 3, lines 34-35; see also col. 3, lines 36-48.
[8] See Beeks, col. 3, lines 49-51.

feature. Accordingly, Applicant respectfully traverses, and requests reconsideration of, this rejection based on this patents.

Therefore, the <u>Beeks</u> patent does not teach a second cursor control device including a discrete cursor moving mechanism configured to move the cursor in a discrete and cyclical manner on the display, responsive object by responsive object, so as to designate a responsive object. Therefore, since the <u>Briffe et al.</u> and <u>Snyder et al.</u> patents do not teach this either, as explained above, the <u>Briffe et al.</u>, <u>Snyder et al.</u>, and <u>Beeks</u> patents, whether taken alone or in combination, do not teach this feature of amended independent Claims 1 and 18. Dependent Claims 9 and 26 are thus patentable over the <u>Briffe et al.</u>, <u>Snyder et al.</u>, and <u>Beeks</u> patents.

In order to vary the scope of protection recited in the claims, new Claims 35-40 are added. New Claims 35-40 find non-limiting support in the disclosure as originally filed, for example in the claims of U.S. Application Serial No. 10/061,281 (now U.S. Patent No. 6,668,215), the parent application which was incorporated by reference in this application. Therefore, the new claims are not believed to raise a question of new matter.[9] The prior art does not teach or suggest the combination of features of independent Claim 37 so that Claims 37-40 are believed to be allowable. Claims 35 and 36 depend from Claims 4 and 21, respectively, are thus also believed to be allowable in light of the above discussion.
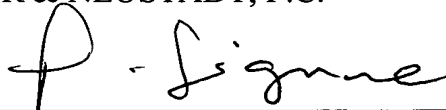
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[9] See MPEP 2163.06 stating that "information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter."

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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18